

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Patent Application

In re: Application of: Whitehouse et al.
Serial No.: 08/694,542
Filing Date: August 9, 1996
Examiner: B. Anderson
Art Unit: 2878
For: Multipole Ion Guide
Mass Spectrometry
with MS/MSⁿ Analysis
Attorney Docket No.: 840.052

#11/IDS
6/28/99
C. McKiney

Assistant Commissioner for Patents
Washington, D.C. 20231

Information Disclosure Statement

Attached hereto is Form PTO-1449 listing several documents for consideration by the Examiner in the captioned application. It is respectfully requested that after consideration of the references an initialed copy of the form be returned to the undersigned.

It is believed that this disclosure, pursuant to 37 C.F.R. §§ 1.97 and 1.98, complies with the requirements of 37 C.F.R. § 1.56 and the Manual of Patent Examining Procedures, Section 707.05(B). If for some reason the U.S. Patent Office considers otherwise, it is respectfully requested that the undersigned be contacted so that any deficiencies can be immediately remedied.

One of the documents in particular, U.S. Patent No. 5,847,386, issued on December 8, 1998 to Thomson and Jolliffe ("the '386 patent").



Applicant believes that the '386 patent is not prior art to the present invention.

Although the patent front page indicates that it claims priority back to a parent application filed on August 8, 1995, the face of the patent lists the incorrect filing date of the parent application. The actual filing date of the parent application was August 11, 1995. Since the priority date of the present application is August 10, 1995 (and therefore before the earliest priority date of the '386 patent), the '386 patent is not prior art to the present application.

Enclosed is a copy of several pages from the file wrapper of that parent application, U.S. Patent Application Serial No. 08/514,372 (subsequently abandoned), and a copy of the declaration filed in the continuation application which resulted in the '386 patent. As shown on these documents, the correct filing date of that parent application was August 11, 1995. An error was made in the issued patent, however, listing the filing date of the original parent as August 8, 1995.


With respect to the remaining attached references, Applicant believes that they neither teach nor suggest the subject matter of Applicants' inventions.

✓ In the event of any fee deficiency (or overpayment) in connection with this transmittal, the Commissioner is authorized and directed to debit our Account No. 02-2105 for the amount of such deficiency.

Dated: May 17, 1999

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Respectfully submitted,



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